

JUN 19 2006

**TO: MAIL STOP APPEAL BRIEF-PATENTS****RE: PATENT APPLICATION ATTORNEY DOCKET NO. 10005668-1****IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE****INVENTOR(S):** Shell S. Simpson et al**CONFIRMATION NO:** 5716**SERIAL NO.:** 09/873,183**GROUP ART UNIT:** 2154**FILED:** June 5, 2001**EXAMINER:** Kenny S. Lin**SUBJECT:** Job Ticket Service**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on the date shown below:

1. This Certification of Facsimile Transmission (1 sheet)
2. Transmittal of Appeal Brief (1 page)
3. Appeal Brief (24 pages)

Date of Facsimile June 19, 2006Typed Name Terri WalkerSignature **NUMBER OF PAGES IN FACSIMILE:** 26

JUN 19 2006

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

## PATENT APPLICATION

ATTORNEY DOCKET NO. 10005668 -1IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Shell S. Simpson et al

Confirmation No.: 6716

Application No.: 09/873,183

Examiner: Kenny S. Lin

Filing Date: June 05, 2001

Group Art Unit: 2154

Title: Job Ticket Service

Mail Stop Appeal Brief-Patents  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEFTransmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on April 18, 2006.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month  
\$120

☐ 2nd Month  
\$450

☐ 3rd Month  
\$1020

☐ 4th Month  
\$1590

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. ~~A duplicate copy of this sheet is enclosed.~~

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450  
Date of Deposit:

OR

☒ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571)273-8300.

Date of facsimile: June 19, 2006

Typed Name: Terri Walker

Signature: Terri Walker

Respectfully submitted,

Shell S. Simpson, et al

By: Nathan R. Rieth

Nathan R. Rieth

Attorney/Agent for Applicant(s)

Reg No.: 44,302

Date: June 19, 2006

Telephone: (208) 396-5287

JUN 19 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Shell S. Simpson et al )	
Serial No.: 09/873,183 )	Group Art Unit: 2154
Filed: June 5, 2001 )	Examiner: Kenny S. Lin
For: Job Ticket Service )	Atty. Docket No.: 10005668-1
)	

APPEAL BRIEF UNDER 37 C.F.R. §41.37

Mail Stop: Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This Appeal Brief under 37 C.F.R. §41.37 is submitted in support of the Notice of Appeal filed April 18, 2006, responding to the Non-Final Office Action mailed January 20, 2006. The Non-Final Office Action mailed January 20, 2006, which reopened prosecution, is in response to Applicant's Appeal Brief filed on November 4, 2005. Applicant has taken the option of initiating a new appeal by filing a Notice of Appeal under 37 CFR 41.31, followed by the present Appeal Brief under 37 CFR 41.37.

The previously paid Notice of Appeal fee and Appeal Brief fee are applicable to the present Appeal Brief, and it is therefore believed that no fees or extensions of time are required to consider this Appeal Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

06/20/2006 TL0111 00000052 002025 09873183  
01 FC:1402 500.00 DA

Docket No. 10005668-1  
Appeal Brief

1

### **I. Real Party in Interest**

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

### **II. Related Appeals and Interferences**

There are no known related appeals or interferences that will affect or be affected by a decision in this Appeal.

### **III. Status of Claims**

Claims 1-7, 13-20 and 23 stand rejected. No claims have been allowed. The rejections of claims 1-7, 13-20 and 23 are appealed.

### **IV. Status of Amendments**

This application was originally filed on June 5, 2001 with twenty-two (22) claims. In "Amendment A", filed February 10, 2005, Applicant amended claims 1-8, 13 and 17, canceled claims 9-12 and 21-22, and added new claim 23. In an "Amendment After Final Rejection (37 CFR 1.116) and Response To Advisory Action", filed July 29, 2005, Applicant amended claims 1, 6, 7, 13 and 23, and canceled claim 8. All of these amendments have been entered and no other amendments have been made to any of the

pending claims. Accordingly, claims 1-7, 13-20 and 23 are the subject of this appeal. The claims in the attached Claims Appendix (see below) reflect the present state of those claims.

#### **V. Summary of Claimed Subject Matter**

The claimed inventions are summarized below with reference numerals and references to the written description ("specification") and drawings. All references are shown in the application at least where indicated herein.

In claim 1, Applicant claims an apparatus that controls tasks in a multi-tasking computer network (20, Fig. 3). Specification, page 5, lines 24-31. In claim 1, the apparatus comprises a job ticket service (60, Fig. 4) configured to function as a centralized service for controlling access to original job tickets (61, Fig. 4) where a job ticket is configured to define a job including one or more tasks to be performed and includes a job ticket reference. Specification, page 7, line 33 to page 8, line 12; page 22, line 29 to page 23, line 22. The job ticket service (60, Fig. 4) is configured to receive status updates from task processors (80, Figs. 3 and 4) that are responsible for performing a task from an original job ticket where the task is associated to the job ticket reference and to update the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket. Specification, page 8, line 26 to page 9, line 9; page 22, line 29 to page 23, line 22. In claim 1, the apparatus also comprises work flow controller (70, Fig. 4) configured to separately assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing

the job ticket reference to each selected task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider. Specification, page 9, line 10 to page 10, line 3; page 11, lines 19-26.

In claim 13, Applicant claims a method for controlling tasks in a multi-tasking network (20, Fig. 3), comprising receiving a job ticket at a job ticket service, creating a job ticket reference to the job ticket (72, Fig. 6; 125, Fig. 9), storing the job ticket reference (73, Fig. 6), controlling access to original job tickets (75, 76, Fig. 6; 110, 130, Fig. 9) by the job ticket service where the job ticket is configured to define a job including one or more tasks to be performed, assigning the one or more tasks from a single original job ticket to selected processors (105, 145, Fig. 9) by distributing a ticket copy of the single original job ticket and distributing the job ticket reference (125, Fig. 9) to each selected processor that identifies the single original job ticket and the job ticket service, where the selected processors can include an external service provider, receiving status updates from the selected processors (140, Fig. 9) relating to an assigned task that are identified by the job ticket reference, and updating the original job ticket (77, Fig. 6; 135, Fig. 9) associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket. Specification, page 7, line 33 to page 8, line 12; page 22, line 29 to page 23, line 22; page 25, line 31 to page 27, line 32.

In claim 23, Applicant claims a computer-readable medium for providing computer executable instructions for causing a computer to perform a method. Specification, page 6, line 9 to line 12. In claim 23, the method comprises controlling

access (75, 76, Fig. 6; 110, 130, Fig. 9) to original job tickets where a job ticket is configured to define a job including one or more tasks to be performed, assigning different tasks from a single original job ticket to different task processors (105, 145, Fig. 9) by distributing a ticket copy of the single original job ticket and distributing a job ticket reference to each task processor that identifies the single original job ticket and a job ticket service, where the different task processors can include an external service provider, receiving status updates (140, Fig. 9) from the different task processors relating to an assigned task that are identified by the job ticket reference, and updating the original job ticket (77, Fig. 6; 135, Fig. 9) associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket.

## **VI. Grounds of Rejection to be Reviewed on Appeal**

The following grounds of rejection are to be reviewed on appeal:

1. Claims 1-4, 6-7, 13-16 and 23 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Krum ("Krum", U.S. Pat. No. 6,618,742) in view of Kovnat et al. ("Kovnat", U.S. Pat. No. 5,619,649). Applicant respectfully traverses this rejection.

2. Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Krum and Kovnat as applied to claims 1-4, 6-7 and 13-16 above, and further in view of Thornton et al. ("Thornton", U.S. Pub. No. 2002/0078130). Applicant respectfully traverses this rejection.

3. Claims 17 and 20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Krum and Kovnat as applied to claims 1-4, 6-7 and 13-16 above, and further in view of Ferlitsch et al. ("Ferlitsch", U.S. Pub. No. 2002/0113989). Applicant respectfully traverses this rejection.

4. Claims 18-19 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Krum, Kovnat and Ferlitsch as applied to claim 17 above, and further in view of Morales, Jr. et al. ("Morales", U.S. Pat. No. 6,687,834). Applicant respectfully traverses this rejection.

5. Claim 23 is rejected under 35 U.S.C. 101 as being inoperative and as lacking utility.

## **VII. Arguments**

The Appellant respectfully submits that claims 1-7, 13-20 and 23 are not obvious under 35 U.S.C. § 103(a). Applicant respectfully requests that the Board of Patent Appeals overturn the final rejections of those claims for the reasons discussed below.

### **I. Claim Rejections - 35 U.S.C. § 103(a)**

Claims 1-7, 13-20 and 23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over various references as noted below. Applicant respectfully traverses the rejections.



As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office (“USPTO”) has the burden under section 103 to establish a *prima facie* case of obviousness by showing some objective teaching in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure.

In the present case, the prior art references, when combined, do not teach or suggest all of Applicant’s claim limitations. Applicant discusses the applied references and Applicant’s claims in the following.

**A. 103(a) Rejections over Krum, Kovnat, Thornton, Ferlitsch, and Morales**

Claims 1-4, 6-7, 13-16 and 23 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Krum in view of Kovnat. Furthermore, as noted above, claims 5 and 17-

20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over various other combinations of the references Krum, Kovnat, Thornton, Ferlitsch, and Morales. Applicant respectfully traverses this rejections.

Krum discloses a system for processing requests to service computational tasks. In Krum, an application server system receives requests to run various jobs, where a job indicates that a certain application program is to be executed with a certain set of input. The application server system includes a master computer and multiple slave computers. The master computer receives requests to run jobs, selects a slave computer to run each job, and then assigns each job to a slave computer selected for that job. The master computer of the application server system receives the requests from client computers that may be connected to the application server system via the Internet. A client-side component of the application server system may execute on the client computers to assist users in submitting their requests. Slave computers may be dynamically added to or removed from the application server system as the demand for computing resources changes. (column 2, lines 44-63).

Kovnat discloses a technique for programming a job with a job ticket in a printing system. In Kovnat, a user accesses a remotely disposed server from an image processing apparatus by entering an appropriate personal identification number and selecting a job ticket from a directory listing the job tickets resident at the server. One of the job tickets is then selected and transmitted across the network from the server to the image processing apparatus. A job is then programmed at the image processing apparatus with the selected job ticket.

### 1. Claims 1-7

With reference first to Applicant's independent claim 1, Applicant recites (emphasis added):

1. An apparatus that controls tasks in a multi-tasking computer network, comprising:

a job ticket service, being configured to:

function as a centralized service for controlling access to original job tickets where a job ticket is configured to define a job including one or more tasks to be performed and includes a job ticket reference;

receive status updates from task processors that are responsible for performing a task from an original job ticket where the task is associated to the job ticket reference; and

update the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket; and

*a work flow controller configured to separately assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider.*

In the Office Action, the Examiner argues that Krum teaches "*a work flow controller configured to separately assign the one or more tasks from a single original job ticket to selected task processors*". The Examiner relies on Krum at col. 4, lines 58-67, and col. 5, lines 1-3 and 38-47. However, nowhere in these cited passages, or anywhere else in Krum, is there a discussion or teaching of "*a work flow controller configured to*

*separately assign the one or more tasks from a single original job ticket to selected task processors*” as recited in Applicant’s claim 1. Rather, Krum teaches the submission of jobs that are assigned to and run entirely by an identified slave computer (farm system). For example, at col. 4, lines 58-67, and column 5, lines 1-3, Krum recites the following (emphasis added):

The application server system includes a master farmer system 103, farm systems 104, and a data store 105, which are connected via communications link 107. The master farmer system (e.g., a master computer) receives *requests to submit jobs* from clients, identifies a farm system (e.g., slave computer) *to run the job*, and instructs the identified farm system *to run the job*. When a farm system receives an instruction *to run a job*, it queues *the job* until an instance of the application program is available *to run that job*. When *the job* runs, it retrieves input data from and stores output data in the data store. The data store may be a file system, database management system, or other storage system.

Here, Krum teaches a master computer that assigns a job to a slave computer. The slave computer runs the job. There is simply no discussion whatever regarding *separately assigning the one or more tasks from a single original job ticket* as recited in Applicant’s claim. In Krum, tasks from a single job ticket are *not* separately assigned.

The Examiner further relies on Krum at col. 5, lines 38-47, which recites as follows (emphasis added):

The distribute jobs component invokes the identify farm component *to identify the farm system to which the job should be assigned*. The identify farm component may select a farm

system based on characteristics (e.g., size) of the job and statistics in the job statistics database that relate to the similar jobs or may rely on information provided by the slave computers. Once the identify farm component selects a farm system, the distribute jobs component *notifies the identified farm system that the job has been assigned to it.*

As in the previous passage, here Krum also discusses a distribute jobs component of the master farm system (i.e., master computer) that assigns a job to a slave computer (the farm system). The slave computer runs the job. Again, there is no discussion whatever regarding *separately assigning the one or more tasks from a single original job ticket* as recited in Applicant's claim. In Krum, tasks from a single job ticket are not separately assigned.

For at least these reasons, it is clear that Krum does not teach the elements of Applicant's claim 1.

Kovnat is cited for its purported teaching of distributing a ticket copy of the single original job ticket to selected task processors where the selected task processors can include an external service provider, and not for teaching "*a work flow controller configured to separately assign the one or more tasks from a single original job ticket to selected task processors*". Furthermore, a review of Kovnat reveals that there is no such teaching in Kovnat. Accordingly, Kovnat does not cure the deficiencies of Krum noted above.

Therefore, the combination of Krum and Kovnat fails to teach the elements of Applicant's claim 1. Thus, a *prima facie* case of obviousness is not supported, and the rejection of claim 1 should be removed.

As just noted, the combination of Krum and Kovnat fails to teach all the elements of Applicant's claim 1. Furthermore, a review of the additionally cited references, Thornton, Ferlitsch, and Morales, reveals that these references likewise fail to cure the deficiencies noted above with Krum and Kovnat. Moreover, these additional references are not cited as teaching such elements of Applicant's claim 1.

Accordingly, the combination of all cited references, Krum, Kovnat, Thornton, Ferlitsch, and Morales, fails to teach the elements of Applicant's claim 1. Therefore, a *prima facie* case of obviousness is not supported and the rejection of claim 1 should be removed.

Given that the combination of Krum, Kovnat, Thornton, Ferlitsch, and Morales, does not render claim 1 obvious, it follows that such combination likewise does not render obvious, claims 2-7, which depend from claim 1 and incorporate all of the limitations of claim 1. Accordingly, claims 2-7 are also allowable over the combination of these references for at least this reason.

In view of the above, Applicant respectfully submits that claims 1-7 are allowable over Krum, Kovnat, Thornton, Ferlitsch, and Morales. Applicant therefore respectfully requests that the rejection as to claims 1-7 be withdrawn.

## 2. Claims 13-20

With reference first to Applicant's independent claim 13, Applicant recites (emphasis added):

13. A method for controlling tasks in a multi-tasking network,  
comprising:  
receiving a job ticket at a job ticket service;

creating a job ticket reference to the job ticket;  
storing the job ticket reference;  
controlling access to original job tickets by the job ticket service  
where the job ticket is configured to define a job including one or more  
tasks to be performed;  
*assigning the one or more tasks from a single original job ticket  
to selected processors by distributing a ticket copy of the single original  
job ticket and distributing the job ticket reference to each selected  
processor that identifies the single original job ticket and the job ticket  
service, where the selected processors can include an external service  
provider,*  
receiving status updates from the selected processors relating to an  
assigned task that are identified by the job ticket reference; and  
updating the original job ticket associated with the job ticket  
reference based on the status update, such that the job ticket service  
controls modification of the original job ticket.

Regarding independent claim 13, Applicant asserts that neither Krum nor Kovnat teach or suggest at least the elements of “assigning the one or more tasks from a single original job ticket to selected processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected processor that identifies the single original job ticket and the job ticket service . . .”, as is required by independent claim 13. Appellant refers back to the discussions provided in the foregoing. At least because of those reasons already discussed, claim 13 is allowable over Krum and Kovnat.

Furthermore, as discussed above, the additional references of Thornton, Ferlitsch, and Morales, fail to cure the deficiencies noted above with Krum and Kovnat. Moreover,

the Examiner does not cite the additional references of Thornton, Ferlitsch, and Morales as teaching such elements of Applicant's claim 13.

Accordingly, the combination of all cited references, Krum Kovnat, Thornton, Ferlitsch, and Morales, fails to teach the elements of Applicant's claim 13. Therefore, a *prima facie* case of obviousness is not supported and the rejection of claim 13 should be removed.

In addition, because the combination of Krum, Kovnat, Thornton, Ferlitsch, and Morales, does not render claim 13 obvious, it follows that such combination likewise does not render obvious claims 14-20, which depend from claim 13 and incorporate all of the limitations of claim 13. Claims 14-20 are therefore allowable over the combination of these references for at least this reason.

In view of the above, Applicant respectfully submits that claims 13-20 are allowable over Krum, Kovnat, Thornton, Ferlitsch, and Morales. Applicant therefore respectfully requests that the rejection as to claims 13-20 be withdrawn.

### 3. Claim 23

With reference first to Applicant's independent claim 13, Applicant recites (emphasis added):

23. A computer-readable medium for providing computer executable instructions for causing a computer to perform a method, the method comprising:

controlling access to original job tickets where a job ticket is configured to define a job including one or more tasks to be performed;

*assigning different tasks from a single original job ticket to different task processors by distributing a ticket copy of the single*



*original job ticket and distributing a job ticket reference to each task processor that identifies the single original job ticket and a job ticket service, where the different task processors can include an external service provider;*

receiving status updates from the different task processors relating to an assigned task that are identified by the job ticket reference; and

updating the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket.

Regarding independent claim 23, Applicant asserts that neither Krum nor Kovnat teach or suggest at least the elements of “assigning different tasks from a single original job ticket to different task processors by distributing a ticket copy of the single original job ticket and distributing a job ticket reference to each task processor that identifies the single original job ticket and a job ticket service . . .”, as is required by independent claim 23. Appellant refers back to the discussions provided in the foregoing. At least because of those reasons already discussed, claim 23 is allowable over Krum and Kovnat.

Furthermore, as discussed above, the additional references of Thornton, Ferlitsch, and Morales, fail to cure the deficiencies noted above with Krum and Kovnat. Moreover, the Examiner does not cite the additional references of Thornton, Ferlitsch, and Morales as teaching such elements of Applicant’s claim 23.

Accordingly, the combination of all cited references, Krum Kovnat, Thornton, Ferlitsch, and Morales, fails to teach the elements of Applicant’s claim 23. Therefore, a *prima facie* case of obviousness is not supported and the rejection of claim 23 should be removed.

## II. Claim Rejection - 35 U.S.C. § 101

Claim 23 is rejected under 35 U.S.C. 101 as being inoperative and as lacking utility.

Applicant respectfully traverses the rejections.

Regarding claim 23, the Examiner (page 2) states as follows:

Claim 23 is rejected under 35 U.S.C. 101 because the disclosed invention is inoperative and therefore lacks utility. A computer-readable medium such as a carrier wave is not tangible by itself. Therefore it is inoperative.

The Examiner is apparently asserting that a computer could not use the programming included in or on a propagation medium (a carrier wave). First of all, this is not accurate. Programming "propagated" or "transmitted" from one computer to another computer, over the Internet for example, is every bit as functional and useful as programming read from a compact disc.

Secondly, even if it is assumed for purposes of argument only, and without conceding, that a propagation medium is not useful under Section 101 or it does not enable the computer readable medium of Claim 23 under Section 112, other media listed in Applicant's Specification (e.g., see Specification, page 15, lines 1-5) are useful and do enable the computer readable medium of Claim 23. The Examiner has not, as yet, cited to any authority supporting the novel proposition that describing a non-useful or non-enabling feature somehow cancels out the description of several useful and enabling features. Absent such a showing, the rejection cannot stand.

### **VIII. Conclusion**

In summary, it is Applicant's position that Applicant's claims are patentable over the applied prior art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicant's pending claims.

Respectfully submitted,

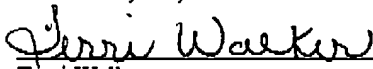
By:



Nathan R. Rieth  
Registration No. 44,302

**Certificate of Mailing:**

I hereby certify that this correspondence is being  
Facsimile transmitted to the Patent and Trademark Office,  
Alexandria, VA, Fax. No. 571-273-8300, on June 19, 2006.

  
Terri Walker

**Claims Appendix under 37 C.F.R. §41.37(c)(1)(viii)**

The following are the claims that are involved in this Appeal.

1. An apparatus that controls tasks in a multi-tasking computer network, comprising:

a job ticket service, being configured to:

function as a centralized service for controlling access to original job tickets where a job ticket is configured to define a job including one or more tasks to be performed and includes a job ticket reference;

receive status updates from task processors that are responsible for performing a task from an original job ticket where the task is associated to the job ticket reference; and

update the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket; and

a work flow controller configured to separately assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider.

2. The apparatus of claim 1, further comprising:

a job ticket storage for maintaining the original job tickets.

3. The apparatus of claim 2, wherein the job ticket service is configured to allow the selected task processors to access to the original job tickets using the job ticket reference.

4. The apparatus of claim 1, wherein the job ticket service is configured to limit access to the original job ticket by a selected task processor to a portion of the original job ticket and prohibits access to other portions of the original job ticket.

5. The apparatus of claim 1 wherein the job ticket service assigns the one or more tasks from the single original job ticket based on bids received from one or more task processors.

6. The apparatus of claim 1, wherein the job ticket reference is configured to be passed between multiple task processors to allow access to at least a portion of a corresponding original job ticket.

7. The apparatus of claim 1, further comprising a job store that stores job content, and wherein the original job ticket comprises:

a service identification that correlates the original job ticket to the job ticket service;

a job identification that correlates the original job ticket to the job content; and

a control module that includes parameters that define processes required to complete a task.

13. A method for controlling tasks in a multi-tasking network, comprising:

- receiving a job ticket at a job ticket service;
- creating a job ticket reference to the job ticket;
- storing the job ticket reference;
- controlling access to original job tickets by the job ticket service where the job ticket is configured to define a job including one or more tasks to be performed;
- assigning the one or more tasks from a single original job ticket to selected processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected processor that identifies the single original job ticket and the job ticket service, where the selected processors can include an external service provider;
- receiving status updates from the selected processors relating to an assigned task that are identified by the job ticket reference; and
- updating the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket.

14. The method of claim 13, further comprising:

- providing the job ticket reference to a processor in the network; and

providing the processor with access to the job ticket based on the job ticket reference.

15. The method of claim 14, wherein access to the job ticket is limited to a portion of the job ticket.

16. The method of claim 13, further comprising:  
receiving a job content corresponding to the job ticket;  
storing the job content in the network; and  
providing the processor access to the job content.

17. The method of claim 13, further comprising:  
receiving a capability of a plurality of processors;  
receiving an availability of each of the plurality of processors; and  
selecting one or more of the plurality of processors to process the job ticket.

18. The method of claim 17, further comprising, when each processor of the selected one or more processors completes a process, receiving an update to information in the job ticket.

19. The method of claim 17, wherein the selecting step is completed by a work flow controller in the network.

20. The method of claim 17, wherein the selecting step is completed by an entity submitting the job ticket into the network.

23. A computer-readable medium for providing computer executable instructions for causing a computer to perform a method, the method comprising:

controlling access to original job tickets where a job ticket is configured to define a job including one or more tasks to be performed;

assigning different tasks from a single original job ticket to different task processors by distributing a ticket copy of the single original job ticket and distributing a job ticket reference to each task processor that identifies the single original job ticket and a job ticket service, where the different task processors can include an external service provider;

receiving status updates from the different task processors relating to an assigned task that are identified by the job ticket reference; and

updating the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket.



**Evidence Appendix under 37 C.F.R. §41.37(c)(1)(ix)**

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

**Related Proceedings Appendix under 37 C.F.R. §41.37(c)(1)(x)**

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.